

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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: MDL No. 2:18-mn-2873-RMG  
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: IN RE: AQUEOUS FILM-FORMING  
: FOAMS PRODUCTS LIABILITY  
: LITIGATION  
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: **This Document relates to**  
: **ALL CASES**  
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**PLAINTIFFS' AND TURNOUT GEAR DEFENDANTS' JOINT MOTION FOR  
EXTENSION OF TIME TO MEET AND CONFER**

Pursuant to Local Civil Rule 6.01, the Plaintiff Executive Committee (the “PEC”) and Turnout Gear (“TOG”) Defendants<sup>1</sup> respectfully move for an extension of time related to the deadlines set forth in the Court’s June 29, 2023, Order related to the PEC’s motion to compel regarding discovery of various TOG Defendants (the “Order”) and subsequent related orders, (Dkts. 3362, 3618, 3751). This motion is based on the following grounds:

1. The Order directed Plaintiffs and TOG Defendants within 60 days to (i) “meet and confer in good faith and submit for the Court’s consideration, . . . a TOG-specific PFS and proposed Case Management Order” (Dkt. 3362 at 3 n.1), and (ii) “meet and confer in good faith” related to the TOG Defendants’ scope objections (*id.* at 5). If mutual resolution was not reached,

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<sup>1</sup> The following TOG Defendants participated in the meet-and-confer process with Plaintiffs in response to the Order: Allstar Fire Equipment, Fire-Dex LLC, Globe Manufacturing Company LLC, Honeywell Safety Products USA Inc., Lion Group Inc., Mine Safety Appliances Co. LLC, Municipal Emergency Services Inc., PBI Performance Products Inc., Southern Mills Inc. dba TenCate Protective Fabrics, Stedfast USA Inc., and W. L. Gore & Associates, Inc.

then the parties could “move for relief before this Court no more than 14 days after the expiration of this 60-day period.” *Id.*

2. Having met and conferred and made substantial progress, including reaching an agreement on a supplemental protective order to address TOG defendants, the parties moved jointly to extend the deadlines of the Order by 30 days (Dkts. 3617, 3735), and the Court granted the extensions (Dkts. 3618, 3751). Since the Court’s Order, Plaintiffs and TOG Defendants have reached agreements on various issues and wish to continue conferring to seek more progress on outstanding issues regarding the scope of discovery and the TOG Plaintiff Fact Sheet. Plaintiffs and TOG Defendants agree that an extension of time will allow the parties to do so.

3. Without waiver of any positions by either side, Plaintiffs and the TOG Defendants believe it would be beneficial to have a 21-day extension to November 17, 2023, to continue meet-and-confer discussions. If granted, the sequence and deadline provided in the Order for seeking judicial intervention, if any, would remain 14 days after the conclusion of the meet-and-confer period (*i.e.*, December 1, 2023).

4. This deadline has previously been extended (Dkts. 3618, 3751), and this extension, if granted, will not affect any other deadlines.

5. Prior to filing this motion, the TOG Defendants conferred with Co-Lead Counsel for Defendants about the filing of the motion and Co-Lead Counsel consent to the filing of the motion.

Wherefore, the PEC and TOG Defendants respectfully request that the Court extend the time for the parties to meet and confer to November 17, 2023, and the deadline for seeking judicial intervention to remain 14 days after the conclusion of the meet-and-confer period.

Dated: October 27, 2023

Respectfully submitted,

/s/ Paul J. Napoli

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